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Attorneys for Plaintiff
UNITED STATES OF AMERICA

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

BENJAMIN LEON COLEMAN.

Defendant.

CASE NO. 07CR3246 - DMS

**JOINT MOTION BY DEFENDANT
BENJAMIN LEON COLEMAN AND
PLAINTIFF UNITED STATES OF
AMERICA TO MODIFY CONDITIONS OF
PRETRIAL RELEASE**

1 Plaintiff, UNITED STATES OF AMERICA, through its counsel, Karen P. Hewitt, United
2 States Attorney, and Mitchell D. Dembin, Assistant United States Attorney, and Defendant
3 BENJAMIN LEON COLEMAN, through his counsel, Randy S. Grossman and Gary K. Brucker,
4 Jr., jointly move as follows:

5 1. On December 13, 2007, BENJAMIN LEON COLEMAN ("Defendant") made his
6 initial appearance in the above-entitled case before Judge Barbara L. Major, United States
7 Magistrate Judge. At that time, Judge Major issued an order regarding the conditions of pretrial
8 release ("Conditions of Release"). Condition number 1 of the Conditions of Release states,
9 "restrict travel to . . . Southern District of California . . ."

10 2. Defendant, who currently resides in San Diego, requests permission to travel
11 throughout the United States of America in order to visit family, and hereby requests the Court to
12 modify condition number 1 of the Conditions of Release to restrict Defendant's travel to the
13 United States, as opposed to the Southern District of California.

14 3. Defendant agrees to notify Monique Arthur, an Officer with the San Diego Pre-
15 Trial Services Department, within twenty-four (24) hours before he departs the Southern District
16 of California. Such notification will be by telephone, telephone message, or personal contact,
17 whichever is most convenient for the parties at the time. Such notification will include
18 Defendant's itinerary and a home (or hotel) telephone number where he can be reached.
19 Defendant will also notify Ms. Arthur within twenty-four (24) hours of his return to the Southern
20 District of California.

21 4. On April 7, 2008, Gary K. Brucker, Jr., spoke with Ms. Arthur regarding
22 Defendant's request to travel throughout the United States of America. Ms. Arthur had no
23 objection to the modification specified in paragraph 2 above, so long as Defendant complies with
24 the notification specified in paragraph 3. (*See Exhibit 1*)

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In consideration of the foregoing facts and circumstances, the parties respectfully request that the Court grant Defendant's request to modify condition number 1 of the Conditions of Release to restrict Defendant's travel to the United States, as opposed to the Southern District of California.

Dated: April 9, 2008

Respectfully Submitted,

MCKENNA LONG & ALDRIDGE LLP

By: s/Randy S. Grossman

Randy S. Grossman
Attorneys for Defendant
Benjamin Leon Coleman
E-mail: rgrossman@mckennalong.com

Dated: April 9, 2008

KAREN P. HEWITT
United States Attorney

By: s/Mitchell D. Dembin

Mitchell D. Dembin
Assistant United States Attorney
E-mail: mitch.dembin@usdoj.gov

I, Randy S. Grossman, hereby certify that the content of this JOINT MOTION BY DEFENDANT BENJAMIN LEON COLEMAN AND PLAINTIFF UNITED STATES OF AMERICA TO MODIFY CONDITIONS OF PRETRIAL RELEASE is acceptable to all parties who are required to sign this motion. Plaintiff's counsel has authorized Defendant to affix his CM/ECF electronic signature to this document.

Dated: April 9, 2008

MCKENNA LONG & ALDRIDGE LLP

By: s/Randy S. Grossman

Randy S. Grossman
Attorneys for Defendant
Benjamin Leon Coleman
E-mail: rgrossman@mckennalong.com

SD:22164439.1

EXHIBIT 1

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April 8, 2008

VIA U.S. MAIL AND FACSIMILE

Monique Arthur
United States Pretrial Services
101 W Broadway # 505
San Diego, CA 92127

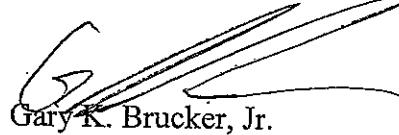
Re: *U.S. v. Benjamin Leon Coleman*

Dear Ms. Arthur:

Yesterday we spoke regarding Mr. Coleman's request to travel outside of the Southern District of California to visit his family. I stated that we, along with Assistant United States Attorney Mitch Dembin, were prepared to file a stipulation and proposed order modifying the terms of Mr. Coleman's pretrial release so that he could travel throughout the United States. You stated that you would not object to such a stipulation and proposed order so long as Mr. Coleman provided you with a travel itinerary and a home (or hotel) telephone number where he could be reached prior to leaving the Southern District of California. If for any reason I have misunderstood our conversation, please contact me or Randy S. Grossman as soon as possible.

Very truly yours,

McKENNA LONG & ALDRIDGE LLP



Gary K. Brucker, Jr.

cc: Randy S. Grossman, Esq.